

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IES UTILITIES INC. and MAQUOKETA VALLEY RURAL ELECTRIC COOPERATIVE	DOCKET NO. SPU-01-17
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**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARIES**

(Issued December 12, 2001)

On October 19, 2001, IES Utilities Inc. (IES) and Maquoketa Valley Rural Electric Cooperative (Maquoketa Valley) filed a joint petition for modification of electric service area boundaries pursuant to 199 IAC 20.3(9). A service area agreement between IES and Maquoketa Valley is attached to the petition. No objections to the petition were filed.

IES and Maquoketa Valley request the Board modify the service territory boundary between the two utilities in Jones County, Iowa. The legal description of the proposed boundary is as follows:

Beginning at the existing territory boundary of IES and Maquoketa Valley REC located at a township road located 657.75 feet north of the NW Corner of the E1/2 of the NW1/4 of the NW1/4 of Section 34, T-84N, R-4W, thence North 669.89 feet to the NW Corner of the E1/2 of the SW1/4 of the SW1/4 of Section 27, thence East 281 feet along the east/west half line of the SW1/4 of Section 27, thence South 1451.29 feet to the E1/2 of the NW1/4 of the NW1/4 of Section 34, thence Southeasterly 777.29 feet to

the west line of the NE1/4 of the NW1/4 of Section 34, thence East 1323.29 feet to the north/south half line of Section 34, thence North 175 feet along the north/south section half line of Section 34, also known as 215th Ave., to the existing territory boundary line in the NE1/4 of the NW1/4 of Section 34, all in the last named township and range.

IES will serve all territory north of the new boundary and Maquoketa Valley will serve all territory south of the new boundary.

In support of the petition, IES and Maquoketa Valley state the current boundary crosses through several lots of a residential housing development called Timberwoods Acres. Because the current boundary passes through several lots, there is confusion as to the appropriate electric service provider. IES and Maquoketa Valley state that redrawing the boundary to parallel the lot lines will eliminate the confusion and prevent unnecessary duplication of facilities. No customers presently served by either IES or Maquoketa Valley will be transferred as a result of the boundary change.

Iowa Code § 476.25 (2001) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the IES and Maquoketa Valley joint petition for modification of service area boundaries. IES and Maquoketa Valley have alleged facts which establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

IT IS THEREFORE ORDERED:

The joint petition for modification of electric service area boundaries filed by IES Utilities Inc. and Maquoketa Valley Rural Electric Cooperative on October 19, 2001, is granted, subject to complaint or investigation.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 12th day of December, 2001.